1 2 3 4 5 UNITED STATES DISTRICT COURT 6 EASTERN DISTRICT OF CALIFORNIA 7 8 1:14-cv-01401-BAM (PC) 9 GUILLERMO C. TRUJILLO, APPEAL NO. 15-15952 10 Plaintiff, ORDER REGARDING IN FORMA 11 PAUPERIS STATUS ON APPEAL VS. 12 STU SHERMAN, 13 Defendant. 14 15 Plaintiff Guillermo C. Trujillo ("Plaintiff"), a state prisoner proceeding pro se and in 16 forma pauperis, filed this civil rights action on September 8, 2014. On April 24, 2015, the Court 17 dismissed the action for failure to state a cognizable claim. Plaintiff appealed. 18 On May 14, 2015, the Ninth Circuit Court of Appeals referred the matter back to this 19 Court for the limited purpose of determining whether in forma pauperis status should continue 20 for the appeal or whether the appeal is frivolous or taken in bad faith. 28 U.S.C. § 1915(a)(3). 21 The Court finds that this appeal is not taken in bad faith and is not frivolous. 22 Accordingly, in forma pauperis status should not be revoked and should continue on appeal. 23 IT IS SO ORDERED. 24 Dated: May 15, 2015 25 26 27 28